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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/283,938	04/01/1999	HIDEKAZU TANIGAWA	NAKI-AZ70A	1666

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EXAMINER
HUYNH, SON P

ART UNIT	PAPER NUMBER
2611	

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/283,938	TANIGAWA ET AL.	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *93-130 have been renumberred as 1-38 respectively* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 April 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5, 8, 10-22, 26, 29-31, 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanigawa et al. (US 5,648,813).

Regarding claim 1, Tanigawa teaches a system, including a transmitting apparatus 5001 and a receiving apparatus 5002, the transmitting apparatus comprising: storing means for storing a background image that is main image data to be displayed by the receiver apparatus and position information that indicates a position within the background image (interactive objects and position information of the interactive objects); and

transmitting means for reading the background image and the position information, and for multiplexing and repeatedly transmitting the read background image and the read position information, the receiving apparatus comprising:

supplementary design storage means for storing supplementary designs (class attribute information, panel information, box information, button information, action information, display candidate information, shape information)-see col. 37, lines 7-57);

separating means (signal separation unit 5012) for separating the background image and the position information from the repeatedly transmitted multiplexed background image and position information;

supplementary design reading means for reading a supplementary design from the supplementary design storage means;

combining means for combining the separated background image and the read supplementary design at a position in the background image indicated by the separated position information to generate image data; and

reproducing means for reproducing the generated image data and outputting an image signal (see col. 36, line 32+).

Regarding claim 2, Tanigawa teaches identification number is commonly assigned to the main image data and position information (see col. 46, line 37+).

Regarding claim 3, Tanigawa teaches the position information is link information and the supplementary means interprets the link information to generate a cursor design (user switches to different objects on the interactive screen -see col. 38, line 5+).

Regarding claim 5, Tanigawa teaches a system as discussed in the rejection of claim 1. Tanigawa further discloses the transmitting apparatus transmits IS structure specification data signal to receiving apparatus and the receiving apparatus used the IS structure specification data signal to generate interactive screen. Use can switch between different objects on the interactive screen using an input device such as a remote control (see figures 50, 64-75). Inherently, the storage unit in the transmitting apparatus stores a plurality of sets of control information (action information, shape information, display candidate information, etc.), each set of control information including image link information showing a link from one background image to another background image (link France to Germany); and supplemental design combining information indicating a combining of at least one supplementary design with a background image; operation means in the receiving apparatus for receiving a user operation (user 's selection using the remote control) that indicates a switching of image data; and control means for controlling the separating means, in response to a user operation, to separate a background image that is indicated by the image link information included in the set of control information stored b the storing means in receiving apparatus.

Regarding claim 8, Tanigawa teaches a transmitting apparatus for use in a communication system that achieves interactively using a broadcast wave, the transmitting apparatus comprising:

storing means for storing a background image that is main image data to be displayed by a receiving apparatus (objects of the interactive screen) and position information that indicates a position within the background image, wherein the receiving apparatus combines a supplementary design with the background image at the position indicated by the position information, the supplementary design being stored by the receiving apparatus; and

transmitting means for reading the background image and the position information, and for multiplexing and repeatedly transmitting the read background image and the read position information (see figure 52 and col. 36, line 32+).

Regarding claim 10, Tanigawa teaches the storage means stores shape information and position information of the object (see col. 37, line 7-col. 38, line 27). Inherently, the storage means stores region size information, the region size information indicating a region size in the background image, the supplementary design being combined with a region in the background image that is indicated by the position information and the region size information, the transmitting means reading the region size information, multiplexing the read region size information with the read background information and position information, and repeatedly transmitting a result of the multiplexing.

Regarding claim 11, Tanigawa teaches the storage means stores a classification for a specific part of an image (class attribute information), the classification corresponding to a specific supplementary design, the transmitting means reading the classification, multiplexing the read classification with the read background information and position information, repeatedly transmitting a result of the multiplexing (see col. 37, line 50+).

Regarding claim 12, Tanigawa teaches the classification for a specific part of an image is for one of the character and image that is linked to another background image (link between different objects- see col. 37, line 50+).

Regarding claim 13, Tanigawa teaches the classification for a specific part of an image is for a heading (see col. 37, line 50+).

Regarding claim 14, Tanigawa teaches the position information specifying the abstract position of the objects specified by the box or the button name, if the objects are sandwiched by "<v>" and "</v>", they are placed vertically, and if sandwiched by "<h>" and "</h>", then horizontally (see col. 38, line 11+). Inherently, the position information includes an X coordinate and a Y coordinate that indicate a position in the background image (American box, France box), the receiving apparatus combining a

supplementary design with the background image at the position indicated by the X and Y coordinates in the position information.

Regarding claim 15, Tanigawa teaches the transmitting apparatus transmits IS structure specification data signal to receiving apparatus and the receiving apparatus used the IS structure specification data signal to generate interactive screen. Use can switch between different objects on the interactive screen using an input device such as a remote control (see figures 50, 64-75). Inherently, the transmitting apparatus comprising the storage means for storing a plurality of sets of control information (action information, shape information, display candidate information, etc.), each set of control information including image link information and supplementary design combining information, the image link information showing a link from one background image to another background image (link France to Germany); and supplemental design combining information indicating a combining of at least one supplementary design with a background image and including position information indicating a position in a background image, and

transmitting means for reading the background image and the sets of control information, and for multiplexing and repeatedly transmitting the read background image and sets of control information.

Regarding claim 16, Tanigawa teaches a receiving apparatus 5002, wherein a background image (object) and position information are repeatedly transmitted to the

receiving apparatus after being multiplexed, the background image being main image data to be displayed by the receiving apparatus and the position information indicating a position in the background image, the receiving apparatus comprising:

supplementary design storage means for storing supplementary designs (class attribute information, panel information, box information, button information, action information, display candidate information, shape information)-see col. 37, lines 7-57);

separating means (signal separation unit 5012) for separating the background image and the position information from the repeatedly transmitted multiplexed background image and position information;

supplementary design reading means for reading a supplementary design from the supplementary design storage means;

combining means for combining the separated background image and the read supplementary design at a position in the background image indicated by the separated position information to generate image data; and

reproducing means for reproducing the generated image data and outputting an image signal (see col. 36, line 32+).

Regarding claim 17, Tanigawa teaches a receiving apparatus as discussed in the rejection of claim 16, Tanigawa further discloses when the selected object is highlighted or shadowed (see col. 38, lines 40-43). Inherently, the supplementary designs are figures the give a bold display of headings (America box, France box, etc.).

Regarding claim 18, Tanigawa teaches a receiving apparatus as discussed in the rejection of claim 16. Tanigawa further teaches IS structure specification data (objects, position information, shape information, etc.) is multiplexed and repeatedly transmitted from a transmitting apparatus to the receiving apparatus (see figure 50; col. 37, line 7-col. 38, line 27). Inherently, background image and position information are repeatedly transmitted to the receiving apparatus having been multiplexed with region size information, the region size information indicating a region size in the background image; the separating means separating the background image, the position information, and the region size information from the repeatedly transmitted multiplexed background image, position information, and region size information, and the combining means combining the read supplementary design with the separated background image in a region in the background image that is indicated with the separated position information and region size information to generate image data.

Regarding claim 19, Tanigawa teaches a receiving apparatus as discussed in the rejection of claim 16. Tanigawa further teaches the background image and position information are repeatedly transmitted to the receiving apparatus having been multiplexed with a classification for a specific part of an image (class attribute information), the classification corresponding to a specific supplementary design, the separating means separating the background image, position information and classification from the repeatedly transmitted multiplexed background image, position information, and classification, and the supplementary design reading means reading

the supplementary design that corresponds to the separated classification (see col. 37, line 50+).

Regarding claim 20, Tanigawa teaches the classification for a specific part of an image is for one of the character and image that is linked to another background image (link between different objects- see col. 37, line 50+).

Regarding claim 21, Tanigawa teaches the classification for a specific part of an image is for a heading (America box, France box, etc. --see col. 37, line 50+).

Regarding claim 22, Tanigawa teaches the position information specifying the abstract position of the objects specified by the box or the button name, if the objects are sandwiched by "<v>" and "</v>", they are placed vertically, and if sandwiched by "<h>" and "</h>", then horizontally (see col. 38, line 11+). Inherently, the position information includes an X coordinate and a Y coordinate that indicate a position in the background image (American box, France box), the combining means combining a supplementary design with the separated background image at the position indicated by the X and Y coordinates in the position information to generate image data.

Regarding claim 26, Tanigawa teaches a receiving apparatus 5002, wherein a plurality of background images (objects) and set of control information that have been multiplexed are repeatedly transmitted to the receiving apparatus, each of the background images being main image data to be displayed by the receiving apparatus,

each set of control information corresponding to a different one of the background images and including image link information and supplementary design combining information, the image link information showing a link from one background image to another background image; and the supplementary design combing information indicating a combining of at least one supplementary design with a background image and including position information indicating a position in a background image, the receiving apparatus comprising:

supplementary design storage means for storing supplementary designs (class attribute information, panel information, box information, button information, action information, display candidate information, shape information)-see col. 37, lines 7-57);

separating means (signal separation unit 5012) for separating the background image and the set of control information corresponding to the one background image from the repeatedly transmitted multiplexed background image and set of control information;

supplementary design reading means for reading a supplementary design from the supplementary design storage means;

combining means, based on the supplementary design combining information included in the separated set of control information, the separated background image and the read supplementary design at a position in the background image indicated by the position information in the supplementary design combining information to generate image data;

storing means for storing the generated image data and the separated set of control information;

reproducing means for reproducing the generated image data and outputting an image signal ;

operation means for receiving a user operation (user selects an object on the screen using the remote control and the selected object is highlighted or shadowed) that indicates a switching of image data;

and control means for controlling the separating means, in response to a user operation, to separate a background image that is indicated by the image link information included in the set of control information stored b the storing means in receiving apparatus (see col. 36, lines 32+ and figures 50, 64).

Regarding claim 29, Tanigawa teaches a transmitting method for use by transmitting apparatus in a communication system that achieves interactivity using a broadcast wave, the transmitting apparatus including storing means for storing a background image (interactive objects) that is main image data to be displayed by a receiving apparatus and position information that indicates a position within the background image, the receiving apparatus combining a supplementary design with the background image at the position indicated by the position information, the supplementary design being stored by the receiving apparatus, the transmitting method comprising: a transmitting step for reading the background image and the position information and for multiplexing and repeatedly transmitting the read background image and the read position information (see col. 36, line 32+).

Regarding claim 30, Tanigawa teaches a transmitting method for use by transmitting apparatus in a communication system that achieves interactivity using a broadcast wave, the transmitting apparatus including storing means for storing a plurality of background image (interactive objects) that is main image data to be displayed by a receiving apparatus and a plurality of sets of control information, each set of control information including image link information and supplementary design combining information, the image link information showing a link from one background image to another of at least one supplementary design with a background image and including position information indicating a position in a background image, the transmitting method comprising: a transmitting step for reading the background image and the sets of control information, and for multiplexing and repeatedly transmitting the read background image and the read sets of control information (see col. 36, line 32+).

Regarding claim 31, the limitations of the method as claimed correspond to the limitations of the apparatus as claimed in claim 16 and are analyzed as discussed with respect to the rejection of claim 16.

Regarding claim 33, the limitations of the method as claimed correspond to the limitations of the apparatus as claimed in claim 26 and are analyzed as discussed with respect to the rejection of claim 26.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4, 6, 7, 9, 23-25, 27-28, 32, 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanigawa (US 5,648,813).

Regarding claim 4, Tanigawa teaches a system as discussed in the rejection of claim 1. Official Notice is taken that using cursor image is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tanigawa to incorporate a well-known feature in the art in order to indicate the movement on the screen.

Regarding claim 6, Tanigawa teaches a system as discussed in the rejection of claim 5. Official Notice is taken that using cursor image is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tanigawa to incorporate a well-known feature in the art in order to indicate the movement on the screen.

Regarding claim 7, Tanigawa in view of a well-known technique in the art teaches a system as discussed in the rejection of claim 6. Furthermore, Tanigawa discloses the state candidate is "ON_OFF candidate". The selection state is "ON" means that the object is selected and the selected object is highlighted or shadowed (see col. 38, line 38+). Thus, the supplementary design including two types of cursor images that respectively represents a selected and a non-selected state.

Regarding claim 9, Tanigawa teaches an apparatus as discussed in the rejection of claim 8. Tanigawa further discloses obtaining means for obtaining link information, character information, image information and generating means for generating a background image (objects of the interactive screen) based on the character information and images information of the obtained information. However, Tanigawa does not disclose the obtaining page information from the World Wide Web on the Internet. Official Notice is taken that obtaining page information from the World Wide Web on the Internet is a well-known technique in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tanigawa with a well-know technique in the art in order to allow user links to different web page in the Internet.

Regarding claim 23, Tanigawa teaches a system as discussed in the rejection of claim 16. Official Notice is taken that using cursor image is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Tanigawa to incorporate a well-known feature in the art in order to indicate the movement on the screen.

Regarding claim 24, Tanigawa in view of a well-known technique in the art teaches a system as discussed in the rejection of claim 23. Furthermore, Tanigawa discloses the state candidate is "ON_OFF candidate". The selection state is "ON" means that the object is selected and the selected object is highlighted or shadowed (see col. 38, line 38+). Thus, the supplementary design including two types of cursor images that respectively represents a selected and a non-selected state.

Regarding claim 25, Tanigawa in view of a well-known technique in the art teaches a system as discussed in the rejection of claim 23. Furthermore, Tanigawa discloses the state candidate is "ON_OFF candidate". Furthermore, Tanigawa discloses when user operates an input device to select an interactive object on the screen, the selected object is highlight or shadowed (see col. 38, line 38+ and figure 64). Thus, the receiving apparatus comprising operation means for receiving a user operation that selects an image showing a cursor image out of a plurality of images that show cursor images in the supplementary design storing means, the supplementary design reading means reading the image showing the selected cursor image, and the combining means combining the read image showing a cursor image with the separated background image.

Regarding claim 27, Tanigawa teaches a system as discussed in the rejection of claim 26. Official Notice is taken that using cursor image is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tanigawa to incorporate a well-known feature in the art in order to indicate the movement on the screen.

Regarding claim 28, Tanigawa in view of a well-known technique in the art teaches a system as discussed in the rejection of claim 27. Furthermore, Tanigawa discloses the state candidate is "ON_OFF candidate". The selection state is "ON" means that the object is selected and the selected object is highlighted or shadowed (see col. 38, line 38+). Thus, the supplementary design including two types of cursor images that respectively represents a selected and a non-selected state.

Regarding claim 32, the limitations of the method as claimed correspond to the limitations of the apparatus as claimed in claim 23 and are analyzed as discussed with respect to the rejection of claim 23.

Regarding claim 34, the claim limitation is directed toward embody the system of claim 16 in a "readable recording medium". It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of Tanigawa as discussed with respect to claim 16 in a "readable recording medium" in order that the instruction could be automatically performed by a processor.

Regarding claim 35, the claim limitation is directed toward embody the system of claim 23 in a "readable recording medium". It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of Tanigawa as discussed with respect to claim 23 in a "readable recording medium" in order that the instruction could be automatically performed by a processor.

Regarding claim 36, the claim limitation is directed toward embody the system of claim 26 in a "readable recording medium". It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of Tanigawa as discussed with respect to claim 26 in a "readable recording medium" in order that the instruction could be automatically performed by a processor.

Regarding claim 37, the claim limitation is directed toward embody the system of claim 27 in a "readable recording medium". It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of Tanigawa as discussed with respect to claim 27 in a "readable recording medium" in order that the instruction could be automatically performed by a processor.

Regarding claim 38, the claim limitation is directed toward embody the system of claim 28 in a "readable recording medium". It would have been obvious to one of ordinary skill in the art at the time the invention was made to embody the procedure of

Tanigawa as discussed with respect to claim 28 in a "readable recording medium" in order that the instruction could be automatically performed by a processor.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
February 24, 2003

ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

UNITED STATES
PATENT AND
TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231
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FEB 20 2003

Dear Patent Business Customer:

The United States Patent and Trademark Office ("Office") is now permitting and encouraging applicants to voluntarily submit amendments in a revised format as set forth in *AMENDMENTS IN A REVISED FORMAT NOW PERMITTED*, ____ *Off. Gaz. Pat. Office* __ (February 25, 2003), currently available on the USPTO web site at **http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm**. The revised format permits amendments to the specification and claims to be made in a single marked-up version; the requirement for a clean version is eliminated. Attached, you will find a flyer with information and instructions regarding the procedures to be used to comply with the revised format. The flyers are being inserted with out-going Office actions mailed during the period of February 20, 2003 - March 31, 2003.

The revised amendment format is essentially the same as the amendment format for the specification, claims, and drawings that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. This proposed revision and others necessary to facilitate a gradual transition to the use of an Electronic File Wrapper (EFW) will be set forth in a Notice of Proposed Rule making (NPR), expected to be published by March 2003. After consideration of public comments, the Office anticipates adopting a revision to § 1.121, following publication of a Notice of Final Rule making (NFR), expected by June 2003, at which point compliance with revised § 1.121 will be mandatory.

The Office will continue to accept your amendment submissions in the revised format during the voluntary period, which will extend up to the effective date of final revisions to § 1.121. The Office also encourages your feedback on the proposed revised amendment format and other changes set forth in the NPR, expected to be published by March 2003.

For assistance: Any questions regarding the submission of amendments pursuant to the revised practice should be directed to Office of Patent Legal Administration (OPLA), Legal Advisors Elizabeth Dougherty (**Elizabeth.Dougherty@uspto.gov**), Gena Jones (**Eugenia.Jones@uspto.gov**) or Joe Narcavage (**Joseph.Narcavage@uspto.gov**). Alternately, you may send e-mail to "Patent Practice", the OPLA e-mail address that has been established for receiving queries and questions about patent practice and procedures or telephone OPLA at (703) 305-1616.

Nicholas P. Godici
Commissioner for Patents

Attachment: Flyer entitled: *Revised Notice* AMENDMENTS MAY NOW BE SUBMITTED IN REVISED FORMAT*

(4) A claim may be canceled by merely providing an instruction to cancel. Listing a claim as canceled will constitute an instruction to cancel. Any claims added by amendment must be indicated as (new) and shall not be underlined.
(5) All of the claims in each amendment paper must be presented in ascending numerical order. Consecutive canceled or withdrawn claims may be aggregated into one statement (e.g., Claims 1 – 5 (canceled)).

Example of listing of claims (use of the word "claim" before the claim number is optional):

Claims 1-5 (canceled)

Claim 6 (withdrawn)

Claim 7 (previously amended): A bucket with a handle.

Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.

Claim 9 (withdrawn)

Claim 10 (original): The bucket of claim 8 with a wooden handle.

Claim 11 (canceled)

Claim 12 (re-presented – formerly dependent claim 11) A black bucket with a wooden handle.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (new): A bucket with plastic sides and bottom.

B) Amendments to the specification:
Amendments to the specification must be made by presenting a replacement paragraph or section marked up to show changes made relative to the immediate prior version. An accompanying clean version is not required and should not be presented. If a substitute specification is being submitted to incorporate extensive amendments, both a clean version (which will be entered) and a marked up version must be submitted as per current 37 CFR 1.125.

C) Amendments to drawing figures:
Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with § 1.84. An explanation of the changes made must be presented in the remarks section of the amendment. Any replacement drawing sheet must include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing should **not** be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Any questions regarding the submission of amendments pursuant to the revised practice set forth in this flyer should be directed to the following legal advisors in the Office of Patent Legal Administration (OPLA): Elizabeth Dougherty (Elizabeth.Dougherty@uspto.gov), Gena Jones (Eugenia.Jones@uspto.gov) or Joe Narcavage (Joseph.Narcavage@uspto.gov). For information on the waiver or legal aspects of the prototype, please contact Jay Lucas (Jay.Lucas@uspto.gov), Senior Legal Advisor (PCTLA) or Rob Clarke (Robert.Clarke@uspto.gov), Senior Legal Advisor (OPLA). Alternatively, further information may be obtained by calling OPLA at (703) 305-1616.

* Revised Notice: See Sec. B) for changes relating to substitute specifications, and Sec. C) for changes on replacement drawing practice.